

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

**TAIWAN CHAPMAN *and*
JESSIE HAYNES**

PLAINTIFFS

v.

CIVIL CASE NO. 1:23-cv-284-TBM-RPM

**SCOTT M. FAVRE PUBLIC ADJUSTER,
LLC; CINDY LYNN FAVRE, *as Executrix
of the Estate of Scott Michael Favre, Deceased;*
CINDY LYNN FAVRE, *as Trustee of the
Scott Michael Favre Revocable Trust***

DEFENDANTS

ORDER

This matter came before the Court on Plaintiffs Taiwan Chapman and Jessie Haynes' Motion for Partial Summary Judgment [36], Motion for Sanctions [38], Rule 56(d) Motion in Opposition [74], Motion to Strike [75], and Cross-Motion for Partial Summary Judgment [79]; Defendant Cindy Lynn Favre's—as Executrix of the Estate of Scott Michael Favre, Deceased, and as Trustee of the Scott Michael Favre Revocable Trust—Motion for Summary Judgment or, Alternatively, Motion to Dismiss [49] and Supplemental Motion for Summary Judgment, Motion for Judgment on the Pleadings, or, Alternatively, Motion to Dismiss [63]; and Defendant Scott M. Favre Public Adjuster, LLC's Motion for Partial Summary Judgment [52] and Motion for Partial Summary Judgment Supplemented [66]. At the hearing conducted on March 7, 2025, the Court, having considered the pleadings, the record, the oral arguments of the parties, and the relevant legal authority, announced on the record its detailed finding and conclusions.

IT IS THEREFORE ORDERED AND ADJUDGED that Plaintiffs Taiwan Chapman and Jessie Haynes' Motion for Partial Summary Judgment [36] is GRANTED. Defendant Scott M. Favre

Public Adjuster, LLC's counterclaim alleging a breach of the duty of good faith and fair dealing is DISMISSED WITH PREJUDICE.

IT IS FURTHER ORDERED AND ADJUDGED that the Report and Recommendations [117] entered by United States Magistrate Judge Robert P. Myers is ADOPTED as the opinion of the court and the Plaintiffs' Motion for Sanctions [38] is DENIED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED AND ADJUDGED that Defendant Cindy Lynn Favre's—as Executrix of the Estate of Scott Michael Favre, Deceased, and as Trustee of the Scott Michael Favre Revocable Trust—Motion for Summary Judgment or, Alternatively, Motion to Dismiss [49] is GRANTED. The Plaintiffs' claims against Cindy Lynn Favre—as Executrix of the Estate of Scott Michael Favre, Deceased, and as Trustee of the Scott Michael Favre Revocable Trust—are DISMISSED WITH PREJUDICE, except for the Plaintiffs' constructive trust claim, which is DISMISSED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED AND ADJUDGED that Defendant Scott M. Favre Public Adjuster, LLC's Motion for Partial Summary Judgment [52] is DENIED.

IT IS FURTHER ORDERED AND ADJUDGED that Defendant's Cindy Lynn Favre's—as Executrix of the Estate of Scott Michael Favre, Deceased, and as Trustee of the Scott Michael Favre Revocable Trust—Supplemental Motion for Summary Judgment, Motion for Judgment on the Pleadings, or, Alternatively, Motion to Dismiss [63] is GRANTED. The Plaintiffs' claims against Cindy Lynn Favre—as Executrix of the Estate of Scott Michael Favre, Deceased, and as Trustee of the Scott Michael Favre Revocable Trust—are DISMISSED WITH PREJUDICE, except for the Plaintiffs' constructive trust claim, which is DISMISSED WITHOUT PREJUDICE.

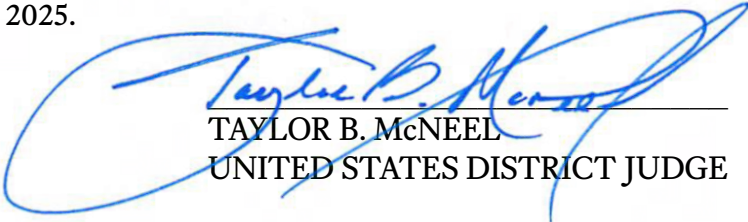
IT IS FURTHER ORDERED AND ADJUDGED that Defendant Scott M. Favre Public Adjuster, LLC's Motion for Partial Summary Judgment Supplemented [66] is DENIED.

IT IS FURTHER ORDERED AND ADJUDGED that the Plaintiffs' Rule 56(d) Motion in Opposition [74] is DENIED.

IT IS FURTHER ORDERED AND ADJUDGED that the Plaintiffs' Motion to Strike [75] is DENIED AS MOOT.

IT IS FURTHER ORDERED AND ADJUDGED that the Plaintiffs' Cross-Motion for Partial Summary Judgment [79] is DENIED.

This, the 10th day of March, 2025.



TAYLOR B. McNEEL
UNITED STATES DISTRICT JUDGE